

REMARKS

In this Office Action, the Examiner divided the claims into two sets: Claims 1 – 11 and Claims 16 – 21 being a first set and Claims 12 – 15 being a second set because, according to the Examiner, the two sets of claims are distinctly different. The Examiner issued a restriction to either the first set or the second set. The Examiner made an election to Claims 1 – 11 and 16 – 21 and withdrew Claims 12 – 15 without traverse. The Examiner further issued an objection to Fig. 1 because it is not designated as a Prior Art figure. Claims 6 – 11 were rejected under 35 U.S.C. §112, second paragraph, for indefiniteness. Claims 19 – 21 were rejected under 35 U.S.C. §101 for lack of patentability utility. Claims 1 – 11 and 16 – 21 were rejected under 35 U.S.C. §102(e) as being anticipated by Walker et al.

In response to the objection to the Drawings, please find attached hereto a substitute Fig. 1 having the Prior Art legend as suggested by the Examiner. Applicants believe that the objection is overcome.

Applicants have amended Claims 1 – 5 to better claim the invention. Applicants have also canceled Claims 6 – 21 and provided new Claims 22 – 37 for consideration. No new matter has been added since support for the amendments as well as the new claims can be found in paragraphs 6, 12, 33 – 36, 43, 44, 46 and 47 of the Application as well as the original claims and Abstract.

Due to the cancellation of Claims 6 – 21, the election/restriction requirement of either of the two sets of claims, the 112 rejection of Claims 6 – 11 and the 101 rejection of Claims 19 – 21 have become moot. By this amendment, Claims 1 – 5 and 22 – 36 are pending in the Application. For the reasons stated more fully below, Applicants submit that the pending claims are allowable over the applied reference. Hence, reconsideration, allowance and passage to issue are respectfully requested.

As disclosed in the SPECIFICATION, in an attempt to improve virtual store, resellers are continuously looking for ways to update information regarding the products or services offered at their website in a manner that is transparent to their buyers. However, resellers are often faced with the difficult task of supporting and updating a large number of constantly changing catalogs in order to interact and exchange accurate product information to their potential buyers. Furthermore, certain manufacturers may have enormous catalogs and their systems may include complex configuration tools, making it impossible for a potential purchaser to access the catalogs without the requisite proprietary tools. Acquisition of such tools for the purchase is often not feasible for a shopper.

The problem of large catalogs is further exacerbated by the fact that the manufacturers are constantly revising and modifying their catalogs on a regular basis, making it difficult for a reseller to constantly download and update huge volumes of inventory databases of every other manufacturer or reseller to maintain current and accurate data for same. Thus, there is a need for a new dynamic model which allows instantaneous access to constantly changing information about various commerce assets offered on an online store.

The present invention provides such a dynamic model. In accordance with the teachings of the invention, a product type (referred to in the claims as asset type) is used. The product type encompasses all permutations or versions of a product. For example, in the tile example in paragraph 6, all the different tiles of tile manufacturers would be under a product type. Changes or new tiles can easily be incorporated in a store catalog by entering them under the product type. Thus, the product type allows a virtual store to easily update its inventory by entering a new product under its product type in its on-line catalog.

Further, all virtual stores that sell a product may coordinate, if desired, with other virtual stores that also sell the product to offer the product for sale to the public. Specifically, the present invention uses a "storepath relationship" to provide to a user all the different permutations or versions of a particular product in which the user is interested and which are being sold by the virtual stores.

CA920030059US1

The invention is set forth in claims of varying scopes of which Claim 1 is illustrative.

1. A method of accessing data regarding commerce assets such as products or services offered at virtual stores participating in a virtual marketplace, the assets being organized by types, each type being enabled to include all versions of an asset, said method comprising the steps of:

establishing a storepath relationship to correlate asset types among the virtual stores;

consulting the storepath relationship for the asset type of a particular asset upon receiving a query from a user, the query including the particular asset and a particular virtual store indicating the virtual store at which the user desires to shop; and

returning data representing all the versions of the particular asset to the user as a response to the query. (Emphasis added.)

Applicants submit that the claims as presently drafted are patentable over Walker et al.

Walker et al. purport to teach a method wherein a buyer purchases a product at a first price and acquires the product from a merchant that offers the product for sale at a second price. Accordingly, Walker et al. teach that a customer can select a product posted on a web site, receive a list of stores which have either the product in stock or that typically stock the product, and pick up the product at a designated local store. To do so, the customer is able to log onto a central controller via the Internet and "lock-in" a price for the product. The locked-in price represents a price established by a manufacturer of the product and available at the identified stores regardless of its regular price at those stores.

However, Walker et al. do not teach, show or suggest the step of ***establishing a storepath relationship to correlate asset types among the virtual stores***. The stores in the list of stores taught by Walker et al. are real

(i.e., brick & mortar) stores where the customer can pick up the product and not virtual stores.

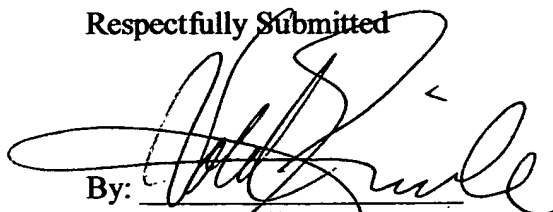
Further, Walker et al. do not teach, show or suggest the step of ***consulting the storepath relationship for the asset type of a particular asset upon receiving a query from a user.*** Rather, Walker et al. teach the step of consulting a table for a list of stores that carry a particular product in which the customer is interested. This is a rather important distinction because consulting a “storepath relationship” for an asset type (of a product) allows for the retrieval of all versions of the product that are being sold by the virtual stores while consulting a table for a list of stores that carry a particular product only provides a list of stores that carry that specific product.

In addition, Walker et al. do not teach the step of ***returning data representing all the versions of the particular asset to the user as a response to the query*** as claimed. As mentioned immediately above, the step taught by Walker et al. provides a list of stores that carry a specific product rather than all the versions of a particular product.

Consequently, Applicants submit that Claim 1, as well as its dependent claims, is allowable over the cited reference. The other independent claims (i.e., Claims 22, 27 and 32) and their dependent claims, which all incorporate the emboldened-italicized limitations of the above-reproduced Claim 1 are also allowable. Consequently, Applicants once more respectfully request reconsideration, allowance and passage to issue of the claims in the application.

Appl. No. 10/666,799
Response dated 09/14/2006
Reply to Office Action of 06/14/2006

Respectfully Submitted

A large, stylized handwritten signature in black ink, appearing to read 'Volel Emile', is written over a horizontal line.

By:

Volel Emile
Attorney for Applicants
Registration No. 39,969
(512) 306-7969

CA920030059US1